

8. The gutta-percha point according to claim 7 wherein said working length marks include distinguishable colors.

9. The gutta-percha point according to claim 8 wherein said working length marks are along a circumferential surface of said point.

10. The gutta-percha point according to claim 7, wherein said working length marks are painted.

Cancel claim 6 without prejudice and substitute therefor new claim 11 as follows.

11. The gutta-percha point according to claim 7 wherein said working length marks start at a position starting from an apex of said point by 18 mm and ending at a position spaced apart from said apex by 22 mm.

Cancel claim 2 without prejudice and substitute therefor new claim 12 as follows.

12. The gutta-percha point according to claim 7, wherein said working length marks are embossed.

Cancel claim 3 without prejudice and substitute therefor new claim 13 as follows:

13. The gutta-percha point according to claim 7, wherein said working length marks are engraved.

#### REMARKS

The present invention is an endodontic gutta-percha point with working length marks, wherein the marked gutta percha point

itself is used as the plugging material, as distinguished from just the use of gutta-percha for plugging.

THERE IS NO PRIOR ART OF A GUTTA-PERCHA  
POINT WITH WORK LENGTH MARKS  
USED AS A PLUGGING MATERIAL

The art of using gutta-percha points for plugging is well know, particularly as set forth in Figs. 1 through 3g.

Figs. 1 through 3g describe the difficult and laborious practices of the prior art. The cited art is cumulative of the complex procedures of the root canal techniques prior to the present invention.

Siegel of 1928 provides an over 70 year history of gutta-percha points, which have not provided a marked gutta-percha point plugging material of the present invention.

Original claims 1-6, with their dependencies and multiple dependencies, have now been canceled and new claims 7-13 have been substitute therefor, maintaining their substance in understandable dependencies and better defining the marked gutta-percha point with working length marks, used as a root canal plugging material in endodontic treatment.

New claim 7 now clealy claims the new gutta-percha point as intrinsicly including a selection of work length marks in a gutta-percha point, which in itself, serves as the plugging material.

The prior art is replete with art on the use of gutta percha

for plugging and gutta-percha points, and non gutta-percha points. The prior art is demonstrative in showing the lack of obviousness in the prior art, where separate files and measuring devices were laboriously used recently, in order to measure and then effectuate the root canal plugging. Siegel's 1928 application for a gutta-percha point makes clear that the structure of gutta-percha plugging material point with working length marks of the present invention today is new and unobvious.

Cohan from 1976, while dealing with color coding in dental instruments, neither shows nor suggests the single work length marking plugging gutta-percha point for endodontic treatment. Malmin's plugs, particularly as shown in Figs. 9 through 11, are demonstrative of 34 years of unobviousness in 1972, after the Siegel plug without approaching the gutta-percha work length marked plug point of the present invention.

The cited art teaches away from a nexus for combining Harrison III, a dental cleaning device with Malmin. The amendment to claims 1-6, is set forth in their proper dependencies now in new claims 7-13.

New claim 11 does not claim any novelty in the reality selected dimensions of 18 to 24 mm, but serves as a limitation with regard to new claim 7, upon which it is dependent.

The marking system of Johnson neither shows nor suggests a nexus for structurally combining in gutta-percha point used a

root canal plugging material.

Claim 12, which claims embossing, is dependent upon new claim 7, is distinct over the prior art.

Claim 9, which is limited on a circumferential working length, as shown in Cohan, is now dependent upon new claim 7. Cohan neither shows nor suggests a gutta-percha point used as a root canal plugging material, nor is there is any nexus shown for the connecting of Cohan, a gutta-percha point used as a root canal plugging material in an endodontic treatment. This further holds true with regard to amended claims 9 and 10, which are dependent upon allowable claim 7 and which include limitations of circumferential markings and paint. No novelty, per se, is claimed in the use of circumferential markings, nor paint.

Claims 7-13, as now amended, and put in proper dependent form, are now allowable with claims 8-13, at least allowable as dependent upon independent claim 7, as now amended.

The difficulties in terms of language translation, have now been thoroughly overcome by the claims as amended and also considered in terms of the Remarks herein.

In view of the amendment to the claims, the within application is deemed in condition for allowance and prompt allowance is therefore respectfully requested.

If there are any charges with regard to this amendment, they should be taken from applicant's attorney's deposit account No.

01-2940.

In the event of any difficulty which does not place in condition for allowance, it is respectfully requested that the Examiner call applicant's attorney at 212-594-6900 to discuss any further amendment that might be required to place the case in condition for allowance.

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Respectfully Submitted,

AUSLANDER & THOMAS

A handwritten signature in cursive script, appearing to read "M. Arthur Auslander".

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